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WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

UNITED STATES OF AMERICA ET AL

CIVIL NO.: 08-893

VERSUS

HONORABLE RICHARD HAIK

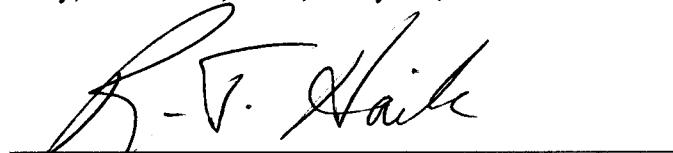
CITGO PETROLEUM CORP.

MAGISTRATE PATRICK HANNA

RULING

UPON CONSIDERATION of plaintiff's Second Motion for Partial Summary Judgment (Doc. 115) and for the reasons stated during oral argument on December 16, 2010, the court rules that plaintiff's motion is GRANTED only as to labeling the "oily sludge" as oil under the statute. The court further rules that all of the remaining requests set out in plaintiff's motion are hereby DENIED since there are various factual disputes.

THUS DONE AND SIGNED this 16th day, December, 2010, Lafayette, Louisiana.



HONORABLE RICHARD T. HAIK, SR.
UNITED STATES DISTRICT JUDGE
WESTERN DISTRICT OF LOUISIANA